

**SS47. Misbranding of Dr. Burkhardt's Vegetable Compound. U. S. \* \* \* v. 116 Packages and 110 Packages of Dr. Burkhardt's Vegetable Compound. Default decree of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13120, 13121. I. S. Nos. 10178-t, 10179-t, 10180-t, 10181-t. S. Nos. W-637, W-639.)

On August 10, 1920, the United States attorney for the District of Colorado, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 116 packages and 110 packages of Dr. Burkhardt's Vegetable Compound, remaining unsold in the original unbroken packages at Denver, Colo., alleging that the article had been shipped on or about July 11, 1918, July 26, 1919, February 24, 1920, June 1, 1920, and June 23, 1920, by Dr. W. S. Burkhardt, Cincinnati, Ohio, and transported from the State of Ohio into the State of Colorado, and charging misbranding under the Food and Drugs Act, as amended. The article was labeled in part, "Dr. Burkhardt's Vegetable Compound Recommended for Kidney and Liver Disease, Fever and Ague, Rheumatism, Sick and Nervous Headache, Erysipelas, Scrofula, Female Complaints, Catarrh, Indigestion, Neuralgia, Nervous Affection, Dyspepsia, Constipation and all Syphilitic Diseases."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it consisted of pills composed essentially of aloes, plant extractives, resins (probably from podophyllum), and capsicum.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, borne on the package, were false and fraudulent as to the curative and therapeutic effects of the article, said statements being false and fraudulent in that the said drugs contained no ingredient or combination of ingredients capable of producing the effects claimed, and that said drugs were not a remedy for, and had no curative or beneficial effects whatsoever upon, any of the diseases mentioned.

On October 8, 1920, no claimant having appeared for the property, a default decree of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**SS48. Misbranding of Wendell's Ambition Brand Pills. U. S. \* \* \* v. 56 Packages, 24 Packages, and 48 Packages of Wendell's Ambition Brand Pills. Default decrees of condemnation, forfeiture, and destruction.** (F. & D. Nos. 13463, 13464, 13693. Inv. Nos. 20624, 18472, 23909. S. Nos. C-2463, C-2464, C-2508.)

On or about September 9, and September 16, 1920, respectively, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 56 packages, 24 packages, and 48 packages of Wendell's Ambition Brand Pills, at Chicago, Ill., alleging that the article had been shipped by the Wendell Pharmacal Co., Inc., Syracuse, N. Y., April 14, May 8, and August 18, 1920, respectively, and transported from the State of New York into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that the pills consisted essentially of alkaloids of nux vomica, quinine, and aloin.

It was alleged in substance in the libels that the article was misbranded in that certain statements, regarding the curative or therapeutic effect thereof,

(package) “\* \* \* Pills Ambition Brand Beneficial in the Treatment of \* \* \* Nervous Debility, Sleeplessness, Despondency, Mental Depression, Hysteria, Nervous Headaches, Dyspepsia, Indigestion \* \* \* affections of the nervous system,” falsely and fraudulently represented it to be effective as a remedy for the various diseases, ailments, and afflictions mentioned upon each of the packages aforesaid, whereas, in truth and in fact, it was not.

On November 23, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

**8849. Misbranding of American Hog Remedy and American Stock Tonic.**

U. S. \* \* \* v. 9 Packages of Hog Remedy and 21 Packages of Stock Tonic, 12 Packages of Hog Remedy and 24 Packages of Stock Tonic, 5 Packages of Hog Remedy and 22 Packages of Stock Tonic, 11 Packages of Hog Remedy and 23 Packages of Stock Tonic, 11 Packages of Hog Remedy and 23 Packages of Stock Tonic, 12 Packages of Hog Remedy and 24 Packages of Stock Tonic, 12 Packages of Hog Remedy and 24 Packages of Stock Tonic. 12 Packages of Hog Remedy and 24 Packages of Stock Tonic. Default decrees of condemnation, forfeiture, and destruction. (F & D. Nos. 13017, 13579, 13611, 13612, 13613, 13614, 13659, 13721, 13722. I. S. Nos. 9924-r, 9925-r. Inv. Nos. 26637, 26638. I. S. Nos. 401-t, 402-t, 404-t, 405-t, 406-t, 407-t. Inv. Nos. 26514, 26515, 26520, 26521. S. Nos. C-2015, C-2016, C-2384, C-2385, C-2446, C-2447, C-2448, C-2449, C-2450, C-2451, C-2452, C-2453, C-2483, C-2484, C-2524, C-2525.)

On July 16, and on or about September 8, September 10, September 13, September 14, and September 28, 1920, respectively, the United States attorney for the Northern District of Illinois, acting upon reports by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of certain quantities of American Hog Remedy and American Stock Tonic, at Elgin, McHenry, North Chicago, Libertyville, Highwood, Mount Prospect, Huntley, and Hartland, Ill., respectively, alleging that the articles had been shipped by the American Remedy Co., Tiffin, Ohio, between December 23, 1919, and July 29, 1920, and transported from the State of Ohio into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analyses of samples of the articles by the Bureau of Chemistry of this department showed that the hog remedy consisted largely of charcoal, peanut shells, salt, and ferrous sulphate, with small amounts of sulphur, Epsom salts, iron oxid, American wormseed, nux vomica, and quassia, and that the stock tonic consisted of the same ingredients, except Epsom salts and iron oxid, together with a small amount of brown mustard.

It was alleged in substance in the libels that the articles were misbranded for the reason that certain statements regarding the curative and therapeutic effects thereof, to wit, (hog remedy) (carton) “A concentrated remedy for swine recommended especially for hogs. Purifies the blood. \* \* \* Do not be deceived. Hogs require entirely distinct compounds from other domestic animals. It is absurd to believe that ordinary stock remedies will cure and prevent hog cholera. \* \* \* The required dose for a hog of any scientific compound containing the ingredients required to cure and prevent contagion among swine \* \* \*. Directions: For Hog Cholera, as soon as you notice that hog cholera has begun on your herd \* \* \* give from two to three tablespoonfuls of American Hog Remedy \* \* \* If already diseased increase at once to three or even four tablespoonfuls,” (stock tonic) (carton) “A valuable remedy for the treatment of diseases peculiar to horses, cattle, sheep and hogs, such as